THE BOMBAY HAQQA PROHIBITION ACT, 1839.

CONTENTS.

SECTIONS.

1. Power to prohibit levy of haqqs, fees and customs.
2. Past and future prohibitions not to be questioned by any Court.
3. Penalty for levy after prohibition.
4. Interpretation.

ACT No. XX OF 1839.[1]

[THE BOMBAY HAQQA PROHIBITION ACT, 1839.]

[*29th July 1839.*]

Repealed in part, by Act 16 of 1874 ;

Amended, by Act 4 of 1894.

Adapted and modified by the Adaptation of Indian Laws Order in Council.

Power to prohibit levy of haqqs, fees and customs.

1. [2]* * * * * It shall be lawful for the [3][appropriate Government] to issue orders prohibiting the levy of haqqs and fees of every description, and customs, whether by land or sea, enjoyed by holders of rent-free lands or other persons, and of alienated shares of any item of revenue after the abolition or relinquishment thereof by Government.

Past and future prohibitions not to be questioned by any Court.

2. [2]* * * * * The legality of any orders which may have been heretofore issued, or of any orders which, conformably with this Act, hereafter shall be issued, by the [3][appropriate Government], for prohibiting the levy of any such haqqs, or fees, customs or alienated shares of any such item of revenue as aforesaid, shall not be questioned in any Court of law.

Penalty for levy after prohibition.

3. [2]* * * * * Whoever shall levy any such haqq, fee, customs or item of revenue after any such order prohibiting the same as aforesaid shall have been published in the [4][Official Gazette], and by notice fixed at the post or place at which it has heretofore been claimed or collected or called [5][shall, whether he is or is not a Revenue-officer [6][of the Crown], be punishable with imprisonment for a term which may extend to seven years, and shall also be liable to fine not exceeding ten times the amount of the sum so levied].

Interpretation.

[7]**4.** In this Act "the appropriate Government" means the Central Government or the Provincial Government according as the matter in question falls within List I, or Lists II and III, in the Seventh Schedule to the Government of India Act, 1935.

---

[1] This Act was declared, by the Laws Local Extent Act, 1874 (15 of 1874), section 5, to be in force in the whole of the Province of Bombay except as regards the Scheduled Districts, i.e., the villages belonging to the following Mehwassi Chiefs :—

(1) The Parvi of Kathi.
(2) The Parvi of Nal.
(3) The Parvi of Singpur.
(4) The Walwi of Gaohalli.
(5) The Wassawa of Chikhli.
(6) The Parvi of Nawalpur.

The short title was given by Bom. 2 of 1921.

[2] The words "It is hereby declared and enacted, that" in section 1 and the words "and it is hereby enacted, that" in sections 2 and 3 were repealed by the Repealing Act, 1874 (16 of 1874).

[3] The words "appropriate Government" were substituted for the words "Governor in Council of Bombay" by the Adaptation of Indian Laws Order in Council.

[4] The words "Official Gazette" were substituted for the words "Government Gazette of the Presidency of Bombay", *ibid.*

[5] This port on was substituted for the words and figures "shall be punishable as for an undue exaction under Regulation XVII of 1827, section XVI, of the Bombay Code, notwithstanding the offender be not a Revenue officer of Government" by the Amending Act, 1894 (4 of 1894).

[6] The words "of the Crown" were substituted for the words "of Government" by the Adaptation of Indian Laws Order in Council.

[7] Section 4 was inserted, *ibid.*

ACT No. XV OF 1840.[1]

[THE BOMBAY REGULATION XIII OF 1830 (APPLICATION) ACT, 1840.]

[*29th June 1840.*]

Repealed in part, by Act 16 of 1874.

Adapted and modified by the Adaptation of Indian Laws Order in Council.

Adapted and modified by the Indian Independence (Adaptation of Central Acts and Ordinances) Order, 1948.

An Act for extending Regulations XV of 1827[2] and XIII of 1830[3] of the Bombay Code to the Agents of foreign Sovereigns.

Extension of Bom. Reg. XIII of 1830 to Agents of foreign Sovereigns and others.

IT is hereby enacted that the provisions of Regulations *XV* of 1827[2] and XIII of 1830[3] of the Bombay Code be made applicable to the Agents of foreign Sovereigns having lands and possessions in the [4][Province of Bombay], and to guardians and such other individuals as the [5][Provincial Government] may consider it expedient to invest with the powers contained in the aforesaid Regulations: Provided that in all cases the authority conferred shall be revocable at the discretion of the [5][Provincial Government].

---

[1] This Act was declared by the Laws Local Extent Act, 1874 (15 of 1874), section 5, to be in force in the whole of the Province of Bombay except as regards the Scheduled Districts, i.e., the villages belonging to the following Mehwassi Chiefs :—

(1) The Parvi of Kathi.
(2) The Parvi of Nal.
(3) The Parvi of Singpur.
(4) The Walwi of Gaohalli.
(5) The Wassawa of Chikhli.
(6) The Parvi of Nawalpur.

The short title was given by Bom. 2 of 1921.

Every jágírdár and other authority invested with powers under Bom. Reg. 13 of 1830 and Act 15 of 1840 shall, for the purposes of the Dekkhan Agriculturists' Relief Act, 1879 (17 of 1879), be deemed to be a Subordinate Judge of such class as the Provincial Government may from time to time direct—*see* Act 17 of 1879, section 2A.

Cf section 4 of the Code of Civil Procedure, 1908 (Act 5 of 1908).

[2] Act 15 of 1840, so far as it relates to Bom. Reg. 15 of 1827, was repealed by the Repealing Act, 1874 (16 of 1874).

[3] *Supra.*

[4] These words were substituted for the original words by the Indian Independence (Adaptation of Central Acts and Ordinances) Order, 1948.

[5] The words "Provincial Government" were substituted for the words "Governor in Council of Bombay" by the Adaptation of Indian Laws Order in Council.

ACT No. XIX OF 1844.[1]

[THE BOMBAY TOWN-DUTIES ABOLITION ACT, 1844.]

[*14th September 1844.*]

An Act for abolishing town-duties and mukáts, and all taxes upon trades and professions, within the Presidency of Bombay.

Abolition of town-duties and taxes.

IT is hereby enacted that, from the first day of October, 1844, all town-duties, kasab veras, muhtarafas, baluteh taxes and cesses of every kind on trades or professions under whatsoever name levied within the Presidency of Bombay and not forming a part of the land-revenue, shall be abolished.

---

[1] This Act was declared, by the Laws Local Extent Act, 1874 (15 of 1874), section 5, General Acts, to be in force in the whole of the Province of Bombay except as regards the Scheduled Districts, *i.e.*, the villages belonging to the following Mehwassi Chiefs:—

(1) The Parvi of Kathi.
(2) The Parvi of Nal.
(3) The Parvi of Singpur.
(4) The Walwi of Gaohalli.
(5) The Wassawa of Chikhli.
(6) The Parvi of Nawalpur.

The short title was given by Bom. 2 of 1921.